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Remarks

The present Amendment and Response is submitted in reply to the Office Action mailed April 25, 2004. Claims 1, 2, 6, 9, 13, 16, 17, 19-22, 30, 31, 37, 38, 39, 43, 45, 49, 51, 52, and 54-57 were rejected. Claims 1, 37 and 38 have been amended. Reexamination and reconsideration is respectfully requested.

Claims 1, 37 and 38 have been amended to generally include the subject matter of pending claims 13 and 16. All three independent claims now recite a foam covering layer that encapsulates a plurality of stack of planar target elements, where the portion of the foam covering layer that extends in front of the side edges comprises the target face(s).

Claim 37 was rejected under 35 U.S.C. §102(b) as being anticipated by Pulkrabek. Pulkrabek discloses the use of Tyvek® or polyethylene film to wrap around the top, bottom and two side edges of the stack of target elements. The exposed front and rear edges of the target elements of Pulkrabek are the target face. The side edges covered by the polyethylene film are not intended to be used as a target face.

Pulkrabek does not teach or disclose 1) a foam covering layer 2) that encapsulates a plurality of stack of planar target elements, 3) where the portion of the foam covering layer that extends in front of the side edges comprises the target face(s). Therefore, Pulkrabek does not anticipate claim 37 of the present application.

Claims 1, 2, 6, 9, 13, 16, 17, 19, 20, 21, 30, 31, 37, 38, 39, 43, 45, 49, 51, 52, 54, 55, 56, and 57 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pulkrabek in view of Croll. In one embodiment, Croll discloses a covering sheet 20 of a thermoplastic film extending along the target face. Croll does not teach encapsulating the target element with a foam covering layer. As with Pulkrabek, Croll does not teach or disclose 1) a foam covering layer 2) that encapsulates a plurality of stack of planar target elements, 3) where the portion of the foam covering layer that extends in front of the side edges comprises the target face(s). Therefore, Croll, either alone or in combination with Pulkrabek, does not render obvious independent claims 1, 37 or 38, or the claim that depend therefrom.

It is asserted on page 3 of the Office Action that foamed plastic sheeting is commonly known. References showing a foam sheeting encapsulating a plurality of target elements have not been cited, as required under 35 U.S.C. §103. It is respectfully requested,

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pursuant to M.P.E.P. §2144.03, that the Examiner produce a teaching reference which discloses the missing elements and suggests a basis for the combination.

Should any fees be required, the Commissioner is authorized to charge these fees to our Deposit Account No. 06-0029 and is requested to notify us of the same.

Respectfully Submitted,

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